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PATENT
Attorney Docket N^o 01-956

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

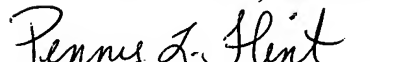
In re Application of : Alexander E. Andreev, et al.
Serial N^o : 10/082,687
Filed : February 25, 2002
Group Art Unit : 2167
Examiner : Greta Lee Robinson
For : FFS SEARCH AND EDIT PIPELINE SEPARATION

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

CERTIFICATE OF MAILING 37 C.F.R. § 1.8

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Penny L. Flint

DATED: April 28, 2005

Please find enclosed herewith three (3) copies of Appellants' Brief on Appeal. No additional fees for extension of time are believed to be required for filing the Appeal Brief.

Please charge the fee of **\$500.00** for filing an Appeal Brief to Deposit Account N° 12-2252. In the event that the Commissioner determines that any additional fees are required, or that any overpayment has been made, for this or any other Paper in this application, the Commissioner is hereby authorized to charge any such additional fees and to credit any overpayment to Deposit Account N° 12-2252. A duplicate copy of this *Petition* is enclosed for accounting purposes only. Please direct all correspondence and telephone calls to:

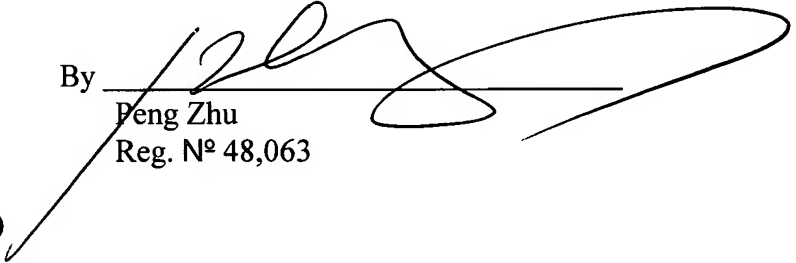
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Andreev, Alexander E.; Scepanovic, Ranko
Appl. No. : 10/082,687
Filed : February 25, 2002
Art Unit : 2167
Examiner : Robinson, Greta Lee
Title : FFS SEARCH AND EDIT PIPELINE SEPARATION
Attorney Docket No. : LSI 01-956

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APPELLANTS' BRIEF

This is an appeal from the final Office Action dated February 14, 2005, rejecting claims 1-32.

(1) REAL PARTY IN INTEREST

The real party in interest is LSI Logic Corporation, the assignee of the entire interest.

(2) RELATED APPEALS AND INTERFERENCES

Appellants are not aware of any related appeals or interferences.

(3) STATUS OF CLAIMS

The application was filed on February 25, 2002 with thirty-two (32) claims, of which Claims 1, 14 and 21 are independent.

All of the claims were rejected in the non-final Office Action dated July 16, 2004.

In Appellants' response dated September 13, 2004, Claims 1, 14 and 21 were amended, and arguments were made indicating the patentability of Claims 1-32 over the proffered references.

The Examiner rejected all the claims in the final Office Action dated February 14, 2005.

In Appellants' response dated March 16, 2005, arguments were made indicating the patentability of Claims 1-32 over the proffered references.

The Examiner, in the Advisory Action dated April 4, 2005, asserted that Appellants' arguments were not persuasive.

Appellants filed a Notice of Appeal dated April 21, 2005.

The status of the claims is as follows:

Claims allowed: none

Claims objected to: none

Claims rejected: Claims 1-32

(4) STATUS OF AMENDMENTS AFTER FINAL

No amendment to the claims has been submitted since the final Office Action dated February 14, 2005.

(5) SUMMARY OF INVENTION

The present invention is directed to fast flexible search and edit pipeline separation. A system suitable for providing a search may include a central controller and at least one search engine. The central controller is suitable for implementing search and edit operations. The at least one search engine is communicatively coupled to the central controller. The central controller performs parallel execution of a search operation and an edit operation through utilization of the at least one search engine (see, e.g., FIG. 1, paragraphs [0018] through [0024] of Specification).

(6) ISSUES

- (I) Whether the Examiner has properly rejected Claims 1-2 and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over Colbrook et al. ("Colbrook", Algorithms For Search Trees On Message Passing-Architectures) in view of Dixon et al. ("Dixon", U.S. Patent No. 4,464,718) and IBM Technical Bulletin entitled *Parallel Table Directed Translation* ("IBM").
- (II) Whether the Examiner has properly rejected Claims 3-20 and 23-32 under 35 U.S.C. § 103(a) as being unpatentable over Colbrook et al. ("Colbrook", Algorithms For Search Trees On Message Passing-Architectures) in view of Dixon et al. ("Dixon", U.S. Patent No. 4,464,718) and IBM Technical Bulletin entitled *Parallel Table Directed Translation* ("IBM").

(7) GROUPING OF CLAIMS

It is the Appellants' intention that the rejected claims be grouped in accordance with the Examiner's rejections as follows:

Group I should comprise Claims 1-2 and 21-22; and Group II should comprise Claims 3-20 and 23-32. Groups I and II are believed to be separately patentable and the claims in each grouping do not rise or fall together with the claims of the other groupings and are separately patentable in accordance with *MPEP §1206*.

(8) ARGUMENTS

ISSUE I

The issue is whether the Examiner has properly rejected Claims 1-2 and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over Colbrook et al. ("Colbrook", Algorithms For Search Trees On Message Passing-Architectures) in view of Dixon et al. ("Dixon", U.S. Patent No. 4,464,718) and IBM Technical Bulletin entitled *Parallel Table Directed Translation* ("IBM"). Regarding Group I, this grouping should include Claims 1-2 and 21-22 because the Examiner incorrectly relied on the proffered references for teaching "search engine[s]" as recited in Claims 1-2 and 21-22. Thus, Group I is separately patentable from Group II.

Regarding Group I, Appellants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness with respect to the proffered references. The Examiner has failed to correctly ascertain and set forth the differences between the proffered references and the claimed invention. Accordingly, the rejection is untenable and should be withdrawn.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Independent Claim 1 recites an element of “at least one search engine” (emphasis added). In rejecting Claim 1, the Examiner first admitted that Colbrook “do not show a search engine” (Final Office Action, page 3, line 7 from bottom). Then, the Examiner went on to allege that Dixon “teaches a search engine [note: search engine (controller 16) figure 1; abstract]” (Final Office Action, page 3, lines 5-6 from bottom). Appellants respectfully disagree.

Col. 4, lines 30-40 of Dixon recites:

The host CPU 10 is connected via a bus 14 to an I/O controller 16. The functions of the I/O controller 16 include receiving data scan requests from the host CPU 10 (in the form of search request blocks as shown in FIG. 2), assembling the data necessary for performing the record scanning operation, and relaying the information necessary for performing the record scanning operation to the record scan circuit 20 and a device control unit 21 which is connected via bus 22 to a number of disk files 24A-24D (emphasis added).

In other words, “controller 16” in figure 1 of Dixon is an *I/O* controller and thus *cannot* be a search engine as recited in Claim 1. For the convenience of the Examiner, the search engine is illustrated, for example, in FIG. 2 and paragraph [0025] at page 8 of Specification of the present application.

The Examiner, in the Advisory Action dated April 4, 2005, asserted that “I/O controller

which is a part of the search engine” (Advisory Action, page 2, last two lines). Appellants respectfully disagree. However, even if the Examiner’s assertion were true, the I/O controller of Dixon still fails to teach, disclose, or suggest the search engine because the I/O controller of Dixon were just a *part* of the search engine, but *not* the search engine *itself*.

Since Colbrook, Dixon and IBM fail to teach, disclose, or suggest an element of “at least one search engine,” as recited in Claim 1, it is respectfully submitted that a *prima facie* case of obviousness has not being established for Claim 1. Therefore, the rejection should be withdrawn, and Claim 1 is allowable.

Claim 2 depends from Claim 1 and is therefore allowable due to its dependence.

Independent Claim 21 recites an element of “a plurality of search engines” (emphasis added). Based on similar rationales as applied to Claim 1 (see above), Appellants respectfully submit that such element is not taught, disclosed, or suggested by Colbrook, Dixon, IBM, or any combination of them. Therefore, the rejection should be withdrawn, and Claim 21 is allowable.

Claim 22 depends from Claim 21 and is therefore allowable due to its dependence.

ISSUE II

The issue is whether the Examiner has properly rejected Claims 3-20 and 23-32 under 35 U.S.C. § 103(a) as being unpatentable over Colbrook et al. (“Colbrook”, Algorithms For Search Trees On Message Passing-Architectures) in view of Dixon et al. (“Dixon”, U.S. Patent No. 4,464,718) and IBM Technical Bulletin entitled *Parallel Table Directed Translation* (“IBM”). Regarding Group II, this grouping should include Claims 3-20 and 23-32 because the Examiner incorrectly relied on the proffered references for teaching “priority controller,” as recited in Claims 3-20 and 23-32. Thus, Group II is separately patentable from Group I.

Regarding Group II, Appellants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness with respect to the proffered references. The Examiner has failed to correctly ascertain and set forth the differences between the proffered references and the claimed invention. Accordingly, the rejection is untenable and should be withdrawn.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Claim 3 recites an element of “wherein the at least one search engine includes a priority controller, memory, edit module, search module and address cache” (emphasis added). In rejecting Claim 3, the Examiner has alleged that such element was taught by FIGS. 1-7 of Colbrook, and FIG. 1 and col. 4, lines 32-68 of Dixon. Appellants respectfully disagree. It is respectfully submitted that nowhere in the places pointed out by the Examiner was “a priority controller” taught, disclosed, or suggested. Appellants herein respectfully request the Examiner to pinpoint *exactly* where in Colbrook and Dixon was the element “a priority controller,” as recited in Claim 3, taught, disclosed, or suggested. At least based on this reason, the rejection should be withdrawn, and Claim 3 is allowable.

Claims 4-13 depend from Claim 3 and are therefore allowable due to their dependence.

Claims 14 and 23 each recite an element of “a priority controller” (emphasis added). Based on the same rationale as applied to Claim 3 (see above), Claims 14 and 23 are allowable since Colbrook, Dixon and IBM fail to teach, disclose or suggest the element of “a priority controller,” as recited in Claims 14 and 23.

Claims 15-20 depend from Claim 14 and are therefore allowable due to their dependence.

Claims 24-32 depend from Claim 23 and are therefore allowable due to their dependence.

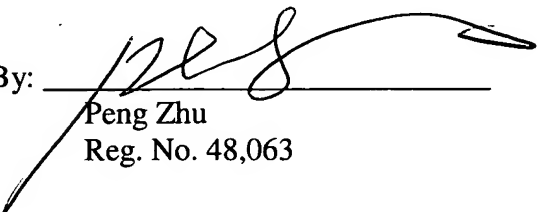
(9) CONCLUSION

For the foregoing reasons, it is respectfully submitted that in each of the rejections discussed herein under 35 U.S.C. § 103(a), the Examiner has failed to meet the burden in establishing a *prima facie* basis for the rejections. Accordingly, reversal of all outstanding rejections is earnestly solicited.

Respectfully submitted,
LSI Logic Corporation,

Dated: April 28, 2005

By: _____


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CLAIMS

1. A system suitable for providing a search, comprising:
a central controller suitable for implementing search and edit operations; and
at least one search engine communicatively coupled to the central controller, wherein the
central controller performs parallel execution of a search operation and an edit
operation through utilization of a binary search tree and the at least one search
engine.
2. The system as described in claim 1, wherein the central controller and at least one engine
are communicatively coupled via a search connection, an edit connection and a cache
connection.
3. The system as described in claim 1, wherein the at least one search engine includes a
priority controller, memory, edit module, search module and address cache.
4. The system as described in claim 3, wherein the priority controller manages access to the
memory by the edit module, search module and cache module.
5. The system as described in claim 3, wherein the priority controller accesses data utilizing
the address cache, the address cached configured to the address cached configured to
receive data from the memory.
6. The system as described in claim 3, wherein the edit module connects with the memory
through the priority controller, the edit module configured to perform calculations for
editing operations.
7. The system as described in claim 3, wherein the search module is configured to perform
calculation for a search operation.
8. The system as described in claim 7, wherein the search module is communicatively
connected to a second search module of a second search engine positioned at a

- neighboring level, the second search engine positioned at least one of at a previous or subsequent level to the search module.
9. The system as described in claim 7, wherein the search engine is a 0th level search engine, output of the search module is provided to the central controller and wherein the search engine is a top search engine, the input of the search module is obtained from the central controller.
 10. The system as described in claim 3, wherein the edit module has inputs and outputs from a neighboring search engine level to the search engine.
 11. The system as described in claim 3, wherein the priority controller gives priority to a search operation over an edit operation.
 12. The system as described in claim 3, wherein the priority controller accesses the address cache to provide parallel access.
 13. The system as described in claim 12, wherein the priority controller receives a request to read a memory address of the memory, content of the memory address is copied to a first cache address and a second cache address of the address cache.
 14. A search engine suitable for providing a search, comprising:
 - a memory suitable for storing electronic data;
 - a priority controller communicatively coupled to the memory;
 - an edit module communicatively coupled to the priority controller, the edit module configured to perform calculations for an edit operation;
 - a search module communicatively coupled to the priority controller, the search module configured to perform calculations for a search operation; and
 - an address cache communicatively coupled to the memory and the priority controller, the address cache suitable for storing electronic data;wherein the priority controller manages access to the memory by the edit module, search

module and address cache, and the search engine provides the search using a binary search tree.

15. The search engine as described in claim 14, wherein the priority controller, through utilization of the address cache enables parallel execution of a search operation and an edit operation as performed by the search module and edit module respectively.
16. The search engine as described in claim 14, wherein the search module is communicatively connected to a second search module of a second search engine position at a neighboring level, the second search engine positioned at least one of at a previous or subsequent level to the search module.
17. The search engine as described in claim 14, wherein the edit module has inputs and outputs from a neighboring search engine level to the search engine.
18. The search engine as described in claim 14, wherein the priority controller gives priority to a search operation over an edit operation.
19. The search engine as described in claim 14, wherein the priority controller accesses the address cache to provide parallel access.
20. The search engine as described in claim 19, wherein the priority controller receives a request to read a memory address of the memory, content of the memory address is copied to a first cache address and a second cache address of the address cache.
21. A system suitable for providing a search, comprising:
a central controller suitable for implementing search and edit operations, the central controller suitable from inputting and outputting external communications; and
a plurality of search engines arranged in zero through k levels, wherein k level search engine of the plurality of search engines is communicatively coupled to the central controller and a zero level search engine of the plurality of search engines

is communicatively coupled to the central controller, wherein the central controller performs parallel execution of a search operation and an edit operation through utilization of a binary search tree and at least one of the plurality of search engines.

22. The system as described in claim 21, wherein the central controller and the plurality of search engines are communicatively coupled via a search connection, an edit connection and a cache connection.
23. The system as described in claim 21, wherein at least one of the search engines include a priority controller, memory, edit module, search module and address cache.
24. The system as described in claim 23, wherein the priority controller manages access to the memory by the edit module, search module and cache module.
25. The system as described in claim 23, wherein the priority controller accesses data utilizing the address cache, the address cache configured to receive data from the memory.
26. The system as described in claim 23, wherein the edit module connects with the memory through the priority controller, the edit module configured to perform calculations for editing operations and wherein the search module is configured to perform calculation for a search operation.
27. The system as described in claim 26, wherein the search module is communicatively connected to a second search module of a second search engine position at a neighboring level, the second search engine positioned at least one of at a previous or subsequent level to the search module.
28. The system as described in claim 27, wherein the search engine is included in the zero level search engine, output of the search module is provided to the central controller and

wherein the search engine is included in the k level search engine, the input of the search module is obtained from the central controller.

29. The system as described in claim 23, wherein the edit module has inputs and outputs from a neighboring search engine level to the search engine.
30. The system as described in claim 23, wherein the priority controller gives priority to a search operation over an edit operation.
31. The system as described in claim 23, wherein the priority controller accesses the address cache to provide parallel access.
32. The system as described in claim 31, wherein the priority controller receives a request to read a memory address of the memory, content of the memory address is copied to a first cache address and a second cache address of the address cache.